Instructions are *green italic*, remove when done.

If red, type there, and font will be correct format.

***Ensure all instructions are removed prior to seeking approval.***

|  |
| --- |
| **Contract Works Procurement Plan****(for School-led Projects)** |
| **Procurement Title** | [Name of the School] (the School) – [Project Title] – [Nature of Contract Works] |
| **Reference Number** | [If available]  |
| **Purpose** | This document details the plan for procuring [Description of the Contract Works] (the Contract Works) for [the School Board] *or* [the Ministry of Education] (The Principal) at [Name of the School] (the School).This procurement will be conducted in accordance with the school property procurement framework (www.education.govt.nz: search “Procurement for school property projects”). |
| **Procurement Value ($NZ exclusive of GST)** |

|  |  |
| --- | --- |
| Intended Contract value (excluding contingency): | [$value] |
| Contingency: | [$value] |
| [Other (specify)]:All potential additional expenditure (including Reserved Rights): | [$value][$value] |
| **Total Procurement Value** | **[$sum value]** |
|  |  |

[Explanation for make-up of procurement value and how it was estimated e.g. benchmarked from previous projects, Quantity Surveyor used.]The budget for this procurement is [$amount]. The budget has been approved in writing by the person with appropriate Delegated Financial Authority (DFA). Prior written approval of the DFA will be obtained should any additional budget be required. Funding will be allocated from [detail source/s of funding including cost centre codes where appropriate]. |
| **Project Background** | Describe the project (of which this procurement is a part) in sufficient detail to provide context for understanding the overall Scope of Works. This may include:* + Outcome sought
	+ History
* Requirements for phasing and/or staged handover of the project
	+ Key risks to the project are [list key risks/ drivers that are impacting your approach *– limit each description to one sentence*]
	+ [Programme
	+ In-ground/Contamination
	+ Weathertightness
	+ Financial
	+ Scope
	+ Decanting/staging
	+ Political/stakeholder pressure]
	+ Procurement-related Risks are listed in Appendix 3
	+ Project consultants are:
		- [e.g. Project Manager]: [name]
		- [e.g. Quantity Surveyor]: [name]
		- [e.g. Lead Designer]: [name]
		- [Other (specify)]: [name]
* Design Stages completed to date and name of Design services provider: [insert response here]
 |
| **Project Timeframes** | **Project Timeframe**Timeframe limitations are:* [Time related limitations e.g. Contract Works must be delivered during school holidays)].

|  |  |
| --- | --- |
| **Event** | **Date** |
| *(Delete if single stage RFT)* ROI Released through GETS  | [date] |
| *(Delete if single stage RFT)* Deadline for ROI Questions | [date] |
| *(Delete if single stage RFT)* Deadline for Registrations | [date]  |
| *(Delete if single stage RFT)* Evaluation Team (ET) briefing | [date] |
| *(Delete if single stage RFT)* ET moderation meeting | [date] |
| *(Delete if single stage RFT)* Recommendation Report approval | [date] |
| RFT Released through GETS | [time/date] |
| Deadline for questions from Tenderers | [date] |
| Deadline for Tenders | [time/date] |
| Evaluation Team (ET) briefing | [date] |
| ET moderation meeting | [date] |
| Recommendation Report approval | [date] |
| [Select] Contract Works start | [date] |

 |
| **Approach to Market** | Procurement planning undertaken: *(Amend/Expand to suit circumstances.)** [note recent, comparable procurements/projects/engagements]
* [outline engagement with potential Tenderers undertake to gauge/encourage participation]
* [outline discussions with other relevant parties e.g. other buyers, industry bodies/associations].

Key findings of market research/engagement used to inform development of the Procurement Plan are:* [general capability/capacity of Contractors]
* It is expected that up to [number] capable Contractors will tender for this Contract Works opportunity
* [other considerations that have influenced the development of the Procurement Plan].

The following key stakeholders were consulted during the development of this Procurement Plan:* [List the key stakeholders consulted and outline findings used to inform the development of the Procurement Plan]. *(e.g. School Board, other schools, groups within the Ministry)*

Procurement strategy and rationale is: *(Amend/Expand to suit circumstances.)** The procurement will be conducted through a [single stage [open/closed] Request for Tender (RFT)] *or* [a two-stage open Registration of Interest (ROI)/closed Request for Tender (RFT)].
* [The RFT will be openly advertised on GETS for 18 full business days] *or* [The ROI will be openly advertised on GETS for 13 full business days and shortlisted Tenderers will be given 15 full business days to respond to the subsequent closed RFT] *or* [The following Contractors will be given 15 full business days to respond to a closed RFT:
	+ - [Contractor name]
* [Outline any other aspects of the procurement strategy e.g. timing of approach to market, inclusions in or exclusions from the scope of works].

Outline the rationale for the procurement strategy including:* [why single stage/two-stage process *(e.g. two stage: significant number of potential tenders necessitating short-listing)*
* why open/closed process *(e.g. why a closed process for a procurement with a value of more than the open tender threshold of $100,000 -- approved exemption attached)*
* if closed tender, how the contractors invited to participate were selected].
 |
| **The Requirement** | **Required Solution**The Contract Works required are: *(Describe the Contract Works in sufficient detail to provide the Procurement Sponsor with a clear understanding of the scope of works.)* * [Description of the Contract Works *(e.g. demolition, new build, redevelopment)*]
* [Requirements for phasing and/or staged handover of the Project]
* [Description of the site conditions and known constraints]
* [Limitations/special requirements]
* [All applicable project specific details].

**Potential Additional Requirements**The Principal reserves the right to award further Contract Works (additional to those described above) to the contractor at its sole discretion in the following circumstances: *(Delete circumstances if not applicable. The value of known potential additional requirements must be included in the Total Whole of Life Cost.)** The following known potential additional requirements at the School:
	+ [description of additional stages/phases of the project at the school]
	+ [description of potential additional requirement]
* Currently unforeseen additional requirements at the School:
	+ up to 12 months following practical completion
	+ that are comparable in nature to the known requirement
	+ that are of a lower Whole of Life Cost Value than the original contract opportunity
	+ where there is reasonable justification for awarding the additional requirements to the Contractor.

These additional rights create no obligation on the Principal and merely give the Principal the right to seek a quote directly from the successful tenderer. These rights are subject to due diligence checks, including issues concerning poor performance.The scope of the additional work would be approved via a Reserved Rights Procurement Plan.*(If any additional requirements are being reserved, the title in the RFP must include ‘And Potential Additional Requirements’.)***Key Roles**Key roles requiring named Key Personnel are:* [Contract Representative]
* [Project Manager]
* [Site Manager/Foreman]
* [Quantity Surveyor]
* [Quality Manager]
* [Health and Safety Manager]

**Key Trades**Key Trades requiring named sub-contractors are:* [List Key Trades]

**Insurances**

|  |  |
| --- | --- |
| **Type** | **Detail** |
| Public Liability | Minimum $[select] million [$2m for Medium Works Contract, $5m for Major Works Contract] |
| Motor Vehicle: | Minimum of third party motor vehicle insurance for all vehicles to be used in delivering the Contract Works |
| Plant and Equipment | Sufficient |

**Price**Pricing information required from Tenderers and the format for its presentation is set out in the Schedule of Prices. |
| **Contract** | The Contractor will be engaged through a [Medium *(above $100k under $1 Million)*] *or* [Major *($1 Million or more)*] Works Contract ([Construction contracts for professional services and works).](https://www.education.govt.nz/suppliers-and-providers/infrastructure-and-property/school-projects/contracts-ministry-led-school-property-projects) *(Optional)* Significant non-standard terms and conditions to the Contract are:* [describe significant non-standard terms and conditions].
 |
| **Evaluation Plan** | The Evaluation Plan is at Appendix 1. |
| **COI Declaration** | Every person involved in this Procurement must submit a completed Conflict of Interest and Confidentiality Agreement form to the Procurement Officer upon commencement of their involvement in the procurement. Thereafter, every person must immediately report any Conflict of Interest that arises at any time during the procurement process.All tenderers will be required to declare any Conflicts of Interest they may have or that they are aware of.For each Conflict of Interest identified, a Conflict Management Plan will be required to be approved by the Project Sponsor (or the Project Sponsor’s manager for any Conflict of Interest declared by the Project Sponsor). |
| **Procurement Roles** |

|  |  |  |
| --- | --- | --- |
| **Procurement Role** | **Signature** | **Description** |
| Procurement Officer | [Signature of person conducting the procurement][Name] [Date] | Manages and administers the procurement |
| Procurement Owner | [Signature of the person representing the Principal][Name] [Date] | Represents the Principal in the procurement |
| Procurement Leader | *(For Ministry-led procurement)* [Signature of member TPRCommercial Procurement][Name] [Date]*(For School-led procurement)* A copy of this procurement plan was sent to [name] (Ministry Property Advisor) on [date *(no less than two business days prior to approval)*] | Procurement oversight/review:*(Ministry-led procurement)* [TPR Procurement Team member]*or**(School-led procurement)* [Property Adviser]  |
| Procurement Sponsor | [Signature of Delegated Financial Authority/Cost Centre Owner][Name] [Date] | Governance and approvals (must not be directly involved in the procurement) |
| DFA (if not Sponsor) |  | Budget Approver and contract signatory |

By approving this Procurement Plan, the Delivery Sponsor confirms that they have been delegated the role of Delivery Sponsor by the appropriate RC Owner.Procurement Control Points:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Document** | **Procurement Officer** | **Procurement Owner** | **Procurement Leader** | **Procurement Sponsor** |
| **Ministry** | **School****Board** |
| Conflict of Interest Management Plan | Draft | Endorse | Endorse |  | Approve |
| Procurement Plan | Draft | Endorse | Endorse | Copy | Approve |
| ROI/RFT | Draft | Approve | Endorse |  |  |
| Recommendation Report | Draft | Endorse | Endorse | Copy | Approve |
| Final form of the contract | Draft | Endorse | Endorse |  |  |
| Contract signatory |  |  |  |  | Sign |

 |

APPENDIX 1: Evaluation Plan

APPENDIX 2: Schedule of Prices

APPENDIX 3: Procurement Risk Register

# APPENDIX 1: Contract Works Evaluation Plan – Weighted Attributes for Open Tender

|  |  |
| --- | --- |
| **Procurement Title** |  [Name of the School] (the School) – [Project Title] – [Nature of Contract Works]  |
| **Evaluation Method** | Weighted attribute evaluation method with the following criteria/weightings will be used to evaluate Tenders and select a preferred Tender:

|  |
| --- |
| **Registration of Interest (ROI)** *(Delete table if single stage RFT)* |
| **Criterion** | **Weighting** |
| **Capability**Skills and expertise of:* The Tenderer (organisational)
* Key Personnel
* Sub-contractors
 | 65% |
| **Capacity*** Sufficiency, availability and contingency of:
	+ The Tenderer (organisational)
	+ Key Personnel
	+ Sub-contractors
* Resource Plan
 | 35% |
| TOTAL | 100% |

|  |
| --- |
| **Request for Tenders (RFT)** |
| **Criterion** | **Weighting** |
| **Proposed Solution*** Comprehensiveness, deliverability and robustness of programme, method, approach, systems and processes
* Understanding of the Requirement
* Tags analysis
* Draft/example SSSP
 | [10 – 15 – 35]% |
| **Capability**Skills and expertise of:* The Tenderer (organisational)
* Key Personnel
* Sub-contractors
 | [10 – 10 – 35]% |
| **Capacity*** Sufficiency, availability and contingency of:
	+ The Tenderer (organisational)
	+ Key Personnel
	+ Sub-contractors
* Resource Plan
 | 5% |
| **Price** | [50 – 70]% |
| TOTAL | 100% |

*Default weightings are to be used unless otherwise indicated by specific circumstances of the procurement. The rationale for non-default weighting must be detailed in the evaluation plan. Weightings must be within the ranges provided above, be in 5% increments (e.g. 10%, 15%, 20%, 25%...) and must add up to 100%. ROI Weightings must be the same ratio as RFT weightings for Capability & Capacity e.g. RFT: 20%/5% (4:1 ratio) so ROI: 80%/20% (4:1 ratio).*Considerations to be taken into account by Evaluators when the evaluating tenders against each non-price criterion are:*(This section is to be used as the basis for briefing evaluators of considerations specific to the procurement for the evaluation of each non-price criterion.)*

|  |  |
| --- | --- |
| **Criterion** | **Evaluation considerations** |
| Proposed Solution | Key considerations when evaluating the suitability of a Tenderer’s Proposed Solution are:* method and approach: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* proposed programme for completing the Contract Works: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* systems and processes (including for health and safety): [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* proposed deliverables: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* suitability of draft/example Site Specific Safety Plan: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* analysis of tags (proposed Contract, drawings and specifications): [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk].

The above considerations are to be evaluated in terms of:* fit for purpose
* comprehensiveness
* deliverability
* robustness
* Tenderer’s understanding of the requirement.
 |
| Capability | Key considerations when evaluating the suitability of a Tenderer’s Capability (including that of Key Personnel) are:* qualifications: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* experience: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* track record: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk].

The above considerations are to be evaluated in terms of:* Suitability and relevance of qualifications
* Relevance, comparability and recentness of experience
* Quality of track record
* Health and safety accreditation.
 |
| Capacity | Key considerations when evaluating the suitability of a Tenderer’s Capacity (including that of Key Personnel) are:* recourses: [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* availability [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk]
* contingency [Describe the standard for what represents adequate, additional benefit/reduction of risk and deficiency/additional risk].

The above considerations are to be evaluated in terms of:* fit for purpose
* comprehensiveness
* robustness
* deliverability
* understanding of the requirement.
 |

*(Delete if single stage tender)* ROI scores for Capability and Capacity will be transferred from the ROI evaluation to the RFT evaluation and confirmed or adjusted by the ET in response to any additional or updated information provided in response to the RFT.[Rationale for non-default weighting (e.g. risk, complexity, budget constraints)]The following rating scale will be used to score Tenders against each non-price evaluation criterion:

|  |  |  |
| --- | --- | --- |
| **Rating** | **Definition** | **Score** |
| Excellent | Exceeds the criterion to provide substantial additional benefit and/or reduction of risk | 9-10 |
| Good | Exceeds the criterion to provide some additional benefit and/or reduction of risk | 6-8 |
| Acceptable | Meets the criterion | 5 |
| Minor deficiency | Does not meet the criterion due to minor deficiency or risk | 3-4 |
| Major deficiency | Does not meet the criterion due to major deficiency or risk | 1-2 |
| Unacceptable | Does not comply, insufficient information provided or unacceptable deficiency or risk | 0 |

A tender may be excluded from further evaluation and/or selection if it receives an ET score of less than five (a rating of less than acceptable as described above) for any one or more of the evaluation criteria.A tender evaluated as being unacceptable for health and safety will be scored less than 5 (deficient or unacceptable) for Proposed Solution and may be excluded from further evaluation/selection. |
| **Procurement Roles** |

|  |  |
| --- | --- |
| **Evaluation Team (ET)** |  |
| ET Chair/Evaluator/Moderator (Scoring Evaluator) | [Name] |
| Scoring Evaluator | [Name]  |
| Scoring Evaluator | [Name]  |
| Scoring Evaluator | [Name]  |
| Advisor (non-scoring) | [Name]  |
| Evaluation Process Facilitator (non-scoring) | [Name]  |
| Price Analyst (non-scoring) | [Name]  |
| Probity Advisor (non-scoring) | [Name] |

  |
| **Evaluation Process** | The process for evaluating tenders is:

|  |
| --- |
| **ROI** *(Delete table if single stage RFT)* |
| **Step** | **Description** | **Responsible/Comments** |
| ROI 1 | Unlock GETS e-tender box and conduct initial review of Registrations for:* compliance with RFx Process Terms and Conditions
* initial due diligence
 | * Procurement Officer and ET Chair
* Accepting a late Registration or excluding a Registration from evaluation requires Procurement Sponsor approval
 |
| ROI 2 | ET briefing including updating of Conflict of Interest declarations | Procurement Officer and ET |
| ROI 3 | Individual evaluation of Registrations | Evaluators |
| ROI 4 | ET meeting to:* review individual evaluations/scoring
* agree ET scores by consensus
* rank registrations by total ET weighted score

decide cut-off ranking by consensus to determine shortlist for RFT | * ET and Procurement Officer

the ET may need to re-convene if clarifications are required |
| ROI 5 | * Recommendation Report (for shortlist) approval by Procurement Sponsor
 | Procurement Officer and Procurement Sponsor |

|  |
| --- |
| **RFT** |
| **Step** | **Description** | **Responsible/Comments** |
| 1 | Initial review of Tenders for:* compliance with Tender process terms and conditions
* [initial due diligence] *(optional)*
* [initial analysis of tags] *(optional)*
 | Procurement Lead and ET ChairProcurement Reviewer’s written approval is required for:* acceptance of a late Tender
* exclusion of a Tender from further evaluation/selection
 |
| 2 | ET briefing and update COI declarations | Procurement Lead |
| 3a | Individual non-price evaluation | Evaluators |
| 3b | Price/Tag analysis and reference checks (as needed) | Price Analyst and Procurement Lead |
| 4 | Moderation meeting to:* review and moderate individual non-price scoring
* confirm ET non-price scores (average of individual scores)
* confirm a shortlist of Tender s that are acceptable for non-price criteria
* review Price/tags analysis and price score acceptable Tenders
* confirm ET total weighted scores for each acceptable Tender
* select a preferred Tender by consensus
* confirm any further due diligence or contract negotiation
 | Procurement Lead, Price Analyst and ETThe ET may need to re-convene if clarifications are required |

Selection of the preferred Tender will take into account:* total weighted ET scores
* the Principal’s desire to maintain/develop market capability and competition
* due diligence.
 |
| **Price Analysis and evaluation** | Price evaluation and scoring will involve:

|  |  |
| --- | --- |
| **Step** | **Description** |
| 1 | Price analysis undertaken separately from non-price evaluation:* price due diligence (complete/realistic/reasonable)
* Tag analysis
* calculation of a single comparable Adjusted Price for each Tender based on pricing information provided by Tenderers in the Pricing Schedule (Appendix 2 of the Procurement Plan) and Tag premiums (values applied to offset the Principal’s acceptance of Tags).
 |
| 2 | Presentation of price analysis to the ET after the ET has:* finalised non-price ET scores
* shortlisted Tenders determined by the ET to be acceptable for non-price criteria.
 |
| 3 | Applying the following price scoring formula to the Adjusted Price of each acceptable Tender:*Tender A’s price score = (Lowest Tender Adjusted Price / Tender A’s Adjusted Price) x Price Weighting % x 100* |

A tender may be excluded from further evaluation and/or selection if the ET is not satisfied that the Price is adequate to meet the obligations of the Contract, does not represent good value for money or is not within the Principal’s budget. |
| **Evaluation Timeline (Indicative)** |

|  |  |
| --- | --- |
| **Event** | **Date** |
| Evaluation Team (ET) briefing | [date] |
| ET moderation meeting | [date] |
| Recommendation Report approval | [date] |

  |
| **Conflict of Interest Management** | All ET members must submit a completed Conflict of Interest and Confidentiality Agreement to the Procurement Lead upon commencement of their involvement in the procurement and thereafter, must immediately report any Conflict of Interest that arises at any time during the procurement process. |
| **Due Diligence** | Due diligence may be undertaken before, during or after evaluation on one or more Tender/Tenderer to determine whether entering into a Contract with a Tenderer may expose the Principal to undue risk including:* reference checks
* clarifications, interviews, and/or presentations
* Police vetting of personnel
* checks to determine the accuracy/completeness/validity of Tenders (including price)
* Companies Office search
* review of a Tenderer’s financial viability
* review of a Tenderer’s business practices and other probity issues
* review of a Tenderer’s disputes with the Ministry and/or other parties
* review of a Tenderer’s ownership/structure
* review of a Tenderer’s director status
* review of a Tenderer’s conduct in relation to the [Supplier Code of Conduct](https://www.procurement.govt.nz/assets/procurement-property/documents/supplier-code-of-conduct.pdf).
 |
| **Evaluator Resources** | The following resources/information will be provided to ET members:* Conflict of Interest Declaration and Confidentiality Agreement
* Tenders (Non-price responses)
* Evaluation Workbook (Excel spreadsheet)
* Evaluation Plan
* Evaluators’ Guide.
 |

# APPENDIX 2: Schedule of Prices

 [Name of the School] (the School) – [Project Title] – [Nature of Contract Works]

# APPENDIX 3: Procurement Risk Register

This risk register is a record of the procurement risks identified during the planning phase and the treatments that have either been implemented or that are incorporated into the Procurement Plan.

|  |  |
| --- | --- |
| **Procurement Title** |  [Name of the School] (the School) – [Project Title] – [Nature of Contract Works]  |

**Risk Rating Table**



*The table below must be amended (i.e. add applicable points, remove irrelevant points, or edit existing content) to suit the circumstances of the procurement activity.*

|  |  |  |
| --- | --- | --- |
| **Risk Description** | **Risk Rating** | **Treatment Action** |
| Insufficient number of acceptable tenders received to provide assurance of adequate competition and value for money | [Select] | * Tenderers identified to take part in the procurement activity have been consulted to confirm their interest and ability to submit a complete tender response by the deadline.
* The tender will be open for more than the minimum time period in order to provide sufficient time for tenderers to submit a complete tender response by the deadline.
* The Procurement Lead will provide pre-tender briefings/information/site visit.
 |
| No tenders priced within budget | [Select] | * Review of comparable recent projects indicates that the budget is realistic.
 |
| Tenderers having insufficient understanding of complex scope of works | [Select] | * The Procurement Lead will offer site visits to Tenderers which would contribute to clarifying the scope of works and would provide an opportunity for Tenderers to have their questions answered.
* The Requirement has been described in sufficient detail to enable Tenderers have a clear understanding of the scope of works.
 |
| [Risk description] | [Select] | [Treatment action] |